

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2017

C O R A M

THE HONOURABLE Mrs.JUSTICE PUSHPA SATHYANARAYANA

C.R.P.(P.D).No.4088 of 2016
and C.M.P.No.20667 of 2016 and
C.R.P.(P.D).No.4089 of 2016

1. Prabhu
2. Arul Rajes

.. Petitioner in both C.R.Ps

-Vs.-

1. Sellammal Sellaiya
2. Kumutham Chinnappan
3. Ravi Chinnappan
4. Vasuki Chinnappan
5. Selvarani Chinnappan

.. Respondents in both C.R.Ps

Civil Revision Petitions filed under Article 227 of the Constitution of India against the order dated 27.01.2016 made in Unnumbered I.A.No. of 2015 in O.S.No.2 of 2011 on the file of the District Court at Namakkal.

For petitioner
in both C.R.Ps

... Mr.T.L.Thirumalaisamy

C O M M O N O R D E R

The defendants 3 and 7 are the revision petitioners who have filed the revision petitions aggrieved by the order rejecting the applications to reopen and recall without numbering.

2. The suit is for declaration and the trial has been completed and the matter is posted for arguments. At this stage, the learned counsel for the revision petitioners contended that the plaintiff has no nexus to the suit property at any point of time and to prove the same the revision petitioners wanted to mark certain documents. For the said purpose, the applications are filed for re-opening the case and re-calling the P.W.1 for cross examination.

3. As the matter is posted for arguments, it is open to the Court to reject the same under Order 18 Rule 17 C.P.C. Besides, it is stated that the revision petitioners have not explained the facts for which the documents are sought to be marked after re-opening the case. Therefore, the learned trial Judge has rightly rejected the applications,

which does not warrant any interference by this Court.

4. Accordingly, the Civil Revision Petitions are dismissed.

No costs. Consequently connected miscellaneous petition is closed.

05.01.2017

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To

The District Court,
Namakkal.

PUSHPA SATHYANARAYANA.J

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